

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 143-148 are currently pending. Claims 143 and 146 are independent. Claims 143, 144, and 146 and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103**

Claims 143-148 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,148,154 to MacKay et al. (hereinafter, merely “MacKay”) in view of U.S. Patent No. 5,537,528 to Takahashi et al. (hereinafter, merely “Takahashi”) in view of U.S. Patent No. 5,487,141 to Cain et al. (hereinafter, merely “Cain”) and further in view of U.S. Patent No. 5,544,318 to Schmitz et al. (hereinafter, merely “Schmitz”).

Applicants respectfully traverse these rejections.

Independent claim 146 is representative and recites, *inter alia*:

“storing the first edit resultant clip in a database;

...

updating the content of said first edit resultant clip registered in the database;

...

overwriting content of said first edit resultant clip registered in the database with content of a new edit resultant clip;

...

updating the content of second resultant clips produced from said first edit resultant clip;

...

storing the overwritten content of said first edit resultant clip and said updated content of said second resultant clips in the database.”

The specific additional steps recited in claim 146 are not taught or suggested by the cited references. Moreover, the specific steps are used in the context of an editing system for editing audiovisual content. The first edit resultant clip is registered in a clip database. The first edit resultant clip is overwritten with content of a new edit resultant clip. Second resultant clips are produced based on the first edit resultant clip. Both the content of first edit resultant clip that was overwritten and the updated content of the second resultant clips are again stored in the clip database. Publ. App. pars. [0246]-[0248] and FIGS. 13 and 14; *See, also*, parent app. claims 152-154.

In this way, when the content of edit processing is modified, the contents of these clip management data are re-written at any time based on the new edit content. However, the old clip management data is not eliminated, and another clip ID code and the clip name are added to be stored as a backup data.

When the new special effect processing is included in the resultant clip, the editing point data after modification and the special effect data after modification are produced based on the content of the new special effect processing, and they are registered as a work data overwriting

the clip before modification. Moreover, the editing point data before modification and the special effect data before modification which have been registered as a work data before the new special effect processing is included, the new clip ID and the clip name are assigned. Then, on the basis of these identification information, they are registered in the database as a clip management data for backup.

In this way, the clip management data before modification is retained as a backup, so that even if the resultant clip after modification is unwanted, a user can easily return to the prior resultant clip before modification based on the clip management data before modification which is remained as a backup.

Claim 146 is patentable over Mackay, Takahashi, Cain and Schmitz because those references taken alone or in combination do teach or suggest each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 146, independent claim 143 is also believed to be patentable.

### **III. DEPENDENT CLAIMS**

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

Claims 143-148 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants



By: \_\_\_\_\_

Paul A. Levy  
Reg. No. 45,748  
(212) 588-0800